

90TH CONGRESS
1ST SESSION

S. 1779

IN THE SENATE OF THE UNITED STATES

MAY 15, 1967

Mr. YARBOROUGH (for himself, Mr. BREWSTER, Mr. GRUENING, Mr. MONDALE, Mr. MORSE, Mr. NELSON, and Mr. PROXMIRE) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

A BILL

To establish an international health, education, and labor program to provide open support for private, nongovernmental activities in the fields of health, education, and labor, and other welfare fields.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 ESTABLISHMENT OF FOUNDATION

4 SECTION 1. (a) There is hereby established as an inde-
5 pendent agency of the Government an International Health,
6 Education, and Labor Foundation (hereinafter referred to
7 as the "Foundation").

8 (b) The Foundation shall be composed of a Director

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1 and an International Health, Education, and Labor Council
2 (hereinafter referred to as the "Council").

3 (c) The purposes of the Foundation shall be estab-
4 lish and conduct an international health, education, and labor
5 program under which the Foundation shall provide open
6 support for private, nongovernmental activities in the fields
7 of health, education, and labor, and other welfare fields,
8 designed—

9 (1) to promote a better knowledge of the United
10 States among the peoples of the world;

11 (2) to increase friendship and understanding among
12 the peoples of the world; and

13 (3) to strengthen the capacity of the other peoples
14 of the world to develop and maintain free, independent
15 societies in their own nations.

16 DIRECTOR OF FOUNDATION

17 SEC. 2. (a) The Foundation shall be headed by a Di-
18 rector who shall be appointed by the President, by and with
19 the advice and consent of the Senate. The person nominated
20 for appointment as the Director shall be a distinguished citi-
21 zen who has demonstrated exceptional qualities and abilities
22 necessary to enable him to successfully perform the functions
23 of the office of the Director.

24 (b) The Director shall receive compensation at the rate
25 prescribed for level II of the Executive Schedule under sec-

1 tion 5311 of title 5, United States Code, and shall serve
2 for a term of five years.

3 (c) The Director, with the advice of the Council, shall
4 exercise all of the authority granted to the Foundation by
5 this Act and shall serve as chief executive officer of the
6 Foundation.

7 COUNCIL

8 SEC. 3. (a) The Council shall consist of eleven members
9 to be appointed by the President, by and with the advice
10 and consent of the Senate. The persons nominated for ap-
11 pointment as members of the Council (1) shall be eminent
12 in the fields of education, student activities, youth activities,
13 labor, health, scientific research, or other fields pertinent
14 to the functions of the Foundation; (2) shall be selected
15 solely on the basis of established records of distinguished
16 service; and (3) shall not be officers or employees of the
17 Government of the United States. The President is requested,
18 in the making of nominations of persons for appointment as
19 members, to give due consideration to any recommendations
20 for nomination which may be submitted to him by leading
21 private associations, institutions, and organizations concerned
22 with private activities in the fields of health, education, and
23 labor, and other welfare fields related to the purposes set
24 forth in the first section of this Act.

25 (b) The term of office of each member of the Council

1 shall be six years, except that (1) the terms of the members
2 first appointed shall expire, as designated by the President,
3 three at the end of two years, four at the end of four years,
4 and four at the end of six years after the date of enactment
5 of this Act; and (2) any member appointed to fill a vacancy
6 shall serve for the remainder of the term for which his
7 predecessor was appointed. No member shall be eligible for
8 reappointment during the two-year period following the
9 expiration of his term.

10 (c) The members of the Council shall receive compen-
11 sation at the rate of \$100 for each day engaged in the busi-
12 ness of the Foundation and shall be allowed travel expenses
13 as authorized by section 5703 of title 5, United States Code.

14 (d) The President shall call the first meeting of the
15 Council and designate an Acting Chairman. The Board shall,
16 from time to time thereafter, select one of its members to
17 serve as Chairman of the Council.

18 (e) The Council shall meet at the call of the Chairman,
19 but not less than once every six months. Six members of the
20 Council shall constitute a quorum.

21 (f) The Council (1) shall advise the Director with
22 respect to policies, programs, and procedures for carrying out
23 his functions, and (2) shall review applications for financial
24 support submitted pursuant to section 4 and make recom-
25 mendations thereon to the Director. The Director shall not

1 approve or disapprove any such application until he has
2 received the recommendation of the Council thereon, unless
3 the Council fails to make a recommendation on such appli-
4 cation within a reasonable time.

5 (g) The Council shall, on or before the 31st day of
6 January, of each year, submit an annual report to the Presi-
7 dent and the Congress summarizing the activities of the
8 Council during the preceding calendar year and making such
9 recommendations as it may deem appropriate. The contents
10 of each report so submitted shall promptly be made available
11 to the public.

12 GRANTS IN SUPPORT OF PRIVATE ACTIVITIES

13 SEC. 4. (a) To effectuate the purposes of this Act, the
14 Director is authorized, subject to section 3 (f), to make
15 grants to private, nonprofit agencies, associations, and organi-
16 zations organized in the United States, to public or private
17 nonprofit educational institutions located in the United States,
18 and to individuals or groups of individuals who are citizens
19 of the United States not employed by the Government of the
20 United States, a State or political subdivision of a State, or
21 the District of Columbia, for the purpose of enabling them
22 to assist, provide, or participate in international activities,
23 conferences, meetings, and seminars in the fields of health,
24 education, and labor, and other welfare fields related to the

1 purposes set forth in the first section of this Act. No portion
2 of any funds granted under this section shall be paid by the
3 Director, or by any recipient of a grant under this section,
4 to support any intelligence-gathering activity on behalf of the
5 United States or to support any activity carried on by any
6 officer or employee of the United States.

7 (b) Each grant shall be made by the Director under
8 this section only upon application therefor in such form and
9 containing such information as may be required by the
10 Director and only on condition that the recipient of such
11 grant will conduct openly all activities supported by such
12 grant and make such reports as the Director may require
13 solely to determine that the funds so granted are applied to
14 the purpose for which application is made.

15 (c) The Director shall develop procedures and rules
16 with respect to the approval or disapproval of applications
17 for grants under this section which will provide, insofar as
18 practicable, an equitable distribution of grants among the
19 various applicants for such grants and types of activities to be
20 supported by such grants, but which will assure that grants
21 will be made to those qualified recipients most capable of
22 achieving a successful or significant contribution favorably
23 related to the purposes set forth in the first section of this
24 Act. In making grants under this section, the Director shall
25 not impose any requirements therefor or conditions thereon

1 which impair the freedom of thought and expression of any
2 recipients or other beneficiaries of such grants.

3 (d) The Director may (1) pay grants in such install-
4 ments as he may deem appropriate and (2) provide for
5 such adjustment of payments under this section as may be
6 necessary, including, where appropriate, total withholding
7 of payments.

8 PUBLIC REPORTS BY DIRECTOR

9 SEC. 5. The Director shall, on or before the 31st day of
10 January of each year, submit an annual report to the Presi-
11 dent and the Congress setting forth a summary of his activi-
12 ties under this Act during the preceding calendar year. Such
13 report shall include a list of the grants made by the Director
14 during the preceding calendar year; a statement of the use
15 to which each recipient applied any grant received during
16 the preceding calendar year; and any recommendations
17 which the Director may deem appropriate. The contents of
18 each report so submitted shall promptly be made available
19 the the public.

20 GENERAL AUTHORITY

21 SEC. 6. The Director shall have the authority, within
22 the limits of funds available under section 9, to—

23 (1) prescribe such rules and regulations as he
24 deems necessary governing the manner of the opera-

1 tions of the Foundation, and its organization and per-
2 sonnel;

3 (2) appoint and fix the compensation of such per-
4 sonnel as may be necessary to enable the Foundation to
5 carry out its functions under this Act, without regard to
6 the provisions of title 5, United States Code, governing
7 appointments in the competitive service and the provi-
8 sions of chapter 51 and subchapter III of chapter 53 of
9 such title relating to classification and General Schedule
10 pay rates: except that the salary of any person so em-
11 ployed shall not exceed the maximum salary estab-
12 lished by the General Schedule under section 5332 of
13 title 5, United States Code;

14 (3) obtain the services of experts and consultants
15 from private life, as may be required by the Director or
16 the Council, in accordance with the provisions of section
17 3109 of title 5, United States Code;

18 (4) accept and utilize on behalf of the Foundation
19 the services of voluntary and uncompensated personnel
20 from private life and reimburse them for travel expenses,
21 including per diem, as authorized by section 5703 of
22 title 5, United States Code;

23 (5) receive money and other property donated,
24 bequeathed, or devised, by private, nongovernmental
25 sources, without condition or restriction other than that

1 it be used for any of the purposes of the Foundation;
2 and to use, sell, or otherwise dispose of such property
3 in carrying out the purposes of this Act; and

4 (6) make other expenditures necessary to carry
5 into effect the purposes of this Act.

6 PROHIBITION AGAINST REQUIRING INTELLIGENCE

7 GATHERING

8 SEC. 7. No department, agency, officer, or employee of
9 the United States shall request or require any recipient or
10 any other beneficiary of any grant made under this Act to
11 obtain, furnish, or report, or cause to be obtained, furnished,
12 or reported, any information relating, directly or indirectly,
13 to any activity supported by such grant, except as is (1)
14 provided by section 4 (b) of this Act or (2) authorized
15 under law in the case of any information directly relating
16 to the violation of any criminal law of the United States by
17 such recipient or beneficiary.

18 INDEPENDENCE FROM EXECUTIVE CONTROL

19 SEC. 8. (a) Determinations made by the Director and
20 the Council in the discharge of their functions under this
21 Act shall not be subject to review or control by the Presi-
22 dent or by any other department, agency, officer, or em-
23 ployee of the Government.

24 (b) The provisions of subchapter II of chapter 5 of
25 title 5, United States Code (relating to administrative pro-

1 cedure), and of chapter 7 of such title (relating to judicial
2 review), shall not apply with respect to the exercise by
3 the Director or the Council of their functions under this Act.

4 APPROPRIATIONS

5 SEC. 9. There are hereby authorized to be appropriated
6 to the Foundation such sums as may be necessary to carry
7 out the purposes of this Act, except that the aggregate of
8 such sums appropriated prior to June 30, 1972, shall not
9 exceed \$100 million. Sums appropriated under this section
10 shall remain available until expended.

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